



M I G R A N T C L I N I C I A N S N E T W O R K

December 15, 2009

Debra Edwards, PhD
Director
Office of Pesticide Programs
U.S. Environmental Protection Agency
1200 Constitution Avenue N.W.
Washington, DC 20460

Re: Requiring that Pesticide Labels be Available in Spanish

Dear Dr. Edwards:

Currently pesticide labels are only required to be in English. This policy has a disproportionate impact on foreign-born pesticide applicators who primarily speak Spanish, with little or no ability to speak or read English. As a consequence, they cannot read the pesticide labels and do not understand the pesticide use directions, the personal protective equipment (PPE) required or the instructions to avoid contamination of water bodies. The current provision, which directs Spanish-speaking handlers to get the label translated themselves, is grossly inadequate. Without the benefit of foreign language labels and comprehensive training in a language and manner they understand, these pesticide applicators are ill-equipped to protect themselves, others, or the environment.

For farmworkers, this is an environmental justice concern and it underscores an obvious gap in worker protection to which the EPA should respond immediately. At recent Pesticide Program Dialogue Committee meetings, several representatives have mentioned this environmental justice concern, but have not been offered an Agency-initiated response or solution. We are writing to formally request an Agency solution that requires pesticide manufacturers selling products in the United States to offer Spanish-language labels.

There are an estimated 2.5 million hired farmworkers in the United States, hundreds of thousands of whom mix, load, or apply pesticides. According to the National Agricultural Worker Survey (NAWS), 81% of farmworkers reported Spanish as their native language and 53% of the farmworkers said they can not speak, read, or write English. In a study of 195 pesticide handlers who were participating in the Washington State cholinesterase monitoring program from 2006-2008, only 29% reported being able to read in English but nearly all of the participants were able to read in Spanish to at least some degree, though most (56%) reported having a primary school education or less (Hofmann et al. 2009).

Manufacturers of pesticides routinely translate their labels into Spanish and many other languages in order to sell them worldwide. Restricted use pesticides (RUPs) sold in Puerto Rico come with Spanish-language labels. As such it would not be difficult for pesticide manufacturers

to label all agricultural use products with an EPA-approved label that has been translated into Spanish (or a number of other languages).

The EPA has previously resisted requests that it require foreign-language labels on the grounds that it would cost the agency too much time and effort to review and approve each translation. Ensuring that labels carry appropriate translations could be accomplished, however, without requiring an EPA review of each translation. Once the English-language label has been approved, the agency could require that any company which uses a label in a different language must first attest that its translation is true and accurate compared to the EPA-approved English language version. The agency would then only have to review a sample of the translated labels. This system should be acceptable in this instance, because the manufacturers would have no incentive to use anything other than an accurate translation of the approved label. Of course, any translation found to be misleading or inaccurate would be viewed as misbranding and result in a violation of the Federal Insecticide, Fungicide and Rodenticide Act.

In sum, there is a great need for Spanish-language labels, many pesticide manufacturers already produce such labels for the world market, and the agency could approve these labels with relatively little effort. As such, we request that the EPA permit pesticide manufacturers to begin selling products in the United States with Spanish-language labels as soon as possible. We would be glad to meet with you at your earliest convenience to discuss this further. Please contact Amy Liebman at 410-860-9850/ aliebman@migrantclincian.org or Virginia Ruiz at (202) 293-5420/ vruiz@farmworkerjustice.org.

Sincerely,

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cc: Lisa Jackson, Administrator, US Environmental Protection Agency
Stephen Owens, Assistant Administrator, Office of Prevention, Pesticides & Toxic Substances,
US Environmental Protection Agency

Sources:

U.S. Department of Labor, Office of the Assistant Secretary for Policy, Office of Programmatic Policy. (March 2005). Findings from the National Agricultural Workers Survey (NAWS) 2001 - 2002. A Demographic and Employment Profile of United States Farm Workers. Research Report No. 9. accessed on 11/14/2009 at <http://www.doleta.gov/agworker/report9/toc.cfm>

Hofmann J, Checkoway H, Borges O, Servin F, Fenske R, Keifer M. (2009). Development of a computer-based survey instrument for organophosphate and N-methyl-carbamate exposure assessment among agricultural pesticide handlers. Paper submitted.